

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

von BORSTEL et al

Appl. No. 09/930,494

Filed: August 16, 2001

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES



Atty. Ref.: 1331-352

Group: 1632

Examiner: Josephine Young

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July 21, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

In response to the Official Action mailed March 19, 2003, (for which petition is hereby made for a three month extension of time), Group I, claims 1-15, 18-41 and 47-49, is hereby elected. An action on the merits is awaited.

The Examiner is advised that Wellstat Therapeutics Corporation, the assignee of record of the present application, and The Reagents of the University of California have agreed to submit inventorship of the present application to binding arbitration.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

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